

Yeas : Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Latimer, McRae, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—15.

Nays : Mr. Hart—1.

Mr. Grimes introduced a bill to repeal an act to reserve one of the public buildings in the city of Austin, for the Supreme Court. Read first time.

On motion of Mr. Brashear, the rule was suspended ; bill read second time, and ordered to be engrossed.

On motion of Mr. Brashear, the rule was further suspended, by the following vote :

Yeas : Messrs. Brashear, Burleson, Campbell, Grimes, Hart, Latimer, McRae, Parker, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Nays : Mr. Gage—1.

Bill read third time and passed.

A message was received from the House of Representatives, informing the Senate, that the House refused to adopt the report of the committee of Conference, on a bill to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846.

On motion of Mr. Gage, the report of the committee of Conference was laid on the table.

On motion of Mr. Parker, the report was taken up.

Mr. Parker moved that the Senate refuse to adopt the report.

Mr. Truit called for the previous question.

Messrs. Portis, Robertson and Van Derlip, moved a call of the Senate.

On motion of Mr. Gage, the call was suspended.

Messrs. Portis, Robertson and Van Derlip renewed the call.

Mr. Gage offered the following resolution :

Resolved, That the twenty-fifth rule of the Senate be rescinded.

On motion of Mr. Latimer, the Senate adjourned until 9 o'clock, to-morrow morning.

FRIDAY, November 29, 1850.

The Senate was called to order by the President—Senators present : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip Ward and Wallace.

Journal of yesterday read and adopted.

Mr. Wallace, from the committee on the Judiciary, to whom was referred a bill prescribing the time at which the act dividing the Supreme Court shall go into effect; reported a substitute therefor, and recommended its passage.

On motion of Mr. Wallace, the rule requiring reports to lie on the table one day, was suspended, and the report placed among the orders of the day.

Mr. Ward, from the committee on Enrolled Bills, made the following report:

The Joint Enrolling committee have examined an act for the relief of Lorenzo D. Henderson, and the heirs of William Donoho, deceased, and Charles Ames, and finding the same correctly enrolled; having been signed by the Speaker of the House and President of the Senate, was this day presented to the Governor for his examination.

ORDERS OF THE DAY.

The question before the Senate on yesterday evening being on the call for the previous question, made by the Senator from Shelby, was put and carried.

The main question being upon Mr. Parker's motion to refuse to adopt the report of the committee of Conference on a bill to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846; was put and carried, by the following vote:

Yeas; Messrs. Brashear, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Nays: Messrs. Burleson, Cooke, Portis and Robertson—4.

On motion of Mr. Gage, the Senate receded from their amendments to the above bill, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Taylor, Truit, Van Derlip, Ward and Wallace—16.

Nays: Messrs. Kinney, Portis and Robertson—3.

A bill prescribing the time at which the act dividing the Supreme Court shall go into effect, together with the report of the committee on the Judiciary, offering a substitute therefor; was read; substitute adopted, and bill ordered to be engrossed.

On motion of Mr. Burleson, the rule was suspended; bill read third time and passed.

A message was received from the House, informing the Senate that the House had appointed Messrs. Dickson, Owen and

Polk, a committee on the part of the House, on a joint resolution instructing the Senators and requesting the Representatives of Texas in Congress, to furnish the President of the United States with one of the authenticated copies of the act accepting the propositions of the United States, relative to the Northern and Western boundaries of Texas.

A bill appropriating ten thousand dollars, or as much thereof as may be necessary for the payment of the mileage and per diem pay of the members of the second extra session, third Legislature. Read second time and passed to a third reading.

On motion of Mr. Robertson, the rule was suspended; bill read third time and passed.

A bill for the relief of Berry Merchant. Read second time and passed to a third reading.

A bill authorizing the Governor to employ counsel in the Supreme Court of the State, in cases where the present Attorney General has been employed. Read second time.

On motion of Mr. Grimes, referred to the committee on the Judiciary.

Mr. Grimes, chairman of the committee on Finance, to whom was referred the petition of the citizens of Houston county; reported a bill to authorize the County Court of Houston county to levy a special tax for county purposes. Read first time.

On motion of Mr. Parker, the rule was suspended; bill read second time, and ordered to be engrossed.

On motion of Mr. Parker, the rule was further suspended; bill read third time and passed.

A bill to incorporate the town of Dallas, in Dallas county. Read and ordered to be engrossed.

On motion of Mr. Grimes, the rule was suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Burleson, Cooke, Campbell, Grimes, Hart, Latimer, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—15.

Nays: None.

A bill for the relief of Reuben R. Brown. Read second time and passed to a third reading.

On motion of Mr. Robertson, the rule was suspended; bill read third time and passed.

A bill for the benefit of certain persons therein named. Read second time, and passed to a third reading.

On motion of Mr. Latimer, the rule was suspended; bill read third time and passed.

A bill for the relief of Thomas J. Jourdan. Read second time.

On motion of Mr. Brashear, referred to the committee on Private Land Claims.

A bill regulating the pay of certain volunteers, who served in 1842. Read second time.

Mr. Burleson offered the following amendments :

Add at the end of the caption, the following words : "and the surviving officers and soldiers of the First Regiment of Infantry who are actual citizens of the State, and the heirs and legal representatives of those who died in the country."

2nd. Amendment. Add after the word "Lipantitlan," and before the word "shall," the following words, "and the surviving officers and soldiers of the First Regiment of Infantry who are actual citizens of the State, and the heirs and legal representatives of those who died in the country."

3d. Amendment. Add to the end of the second section the following words :

"Provided, that the said regiment of Infantry shall only receive a sum equivalent to the pay to which they were entitled by the terms of their enlistment, after deducting the par value of the pay already received by them."

On motion of Mr. Grimes, the bill and amendments were laid on the table.

A bill to authorize the Secretary of the Senate to purchase stationery for the use of the next regular session of the Legislature. Read second time.

On motion of Mr. Campbell, referred to the committee on Finance.

Joint resolution instructing our Senators and requesting our Representatives in the Congress of the United States to endeavor to procure the repeal of the first provision contained in the fifth proposition of the bill proposing to the State of Texas to establish her Northern and Western boundaries, and the ceding of her claim to territory exterior to said boundary. Read second time.

On motion of Mr. Grimes, laid on the table.

A bill for the relief of Peter Lopez and Henry Tierwester. Read second time.

On motion of Mr. Burleson, referred to the committee on Public Lands.

A bill to authorize the Clerk of the County Court of Navarro county, and the County Clerk of Tyler county to transcribe in a bound book, severally, to be procured by them for that purpose, all the records and title papers hereinafter mentioned, registered

by the said clerks. Read second time, and passed to a third reading.

On motion of Mr. Cooke, the rule was suspended; bill read third time and passed.

Mr. Wallace, from the Joint committee, to whom was referred a joint resolution instructing the Senators and requesting the Representatives of Texas in Congress, to furnish the President of the United States with one of the authenticated copies of the act accepting the propositions of the United States, relative to the Northern and Western boundaries of Texas; reported a substitute therefor, and recommended its passage.

On motion of Mr. Wallace, the rule requiring reports to lie on the table one day was suspended, and report taken up.

On motion of Mr. Grimes, the word "required," was stricken out, and "empowered" inserted.

On motion of Mr. Van Derlip, the bill and report were referred to the committee on Finance.

A bill to amend the sixth section of an act concerning slaves, approved the 5th February, 1840. Read first time.

On motion of Mr. Ward, the rule was suspended; bill read second time, and referred to the committee on the Judiciary.

A bill to require the Commissioner of the General Land Office to issue patents for lands therein mentioned. Read third time and passed.

A bill to authorize the Executive Board of Managers of the Masonic Female Institute, at Marshall, Harrison county, to confer degrees and for other purposes. Read first time.

On motion of Mr. Taylor, the rule was suspended; bill read second time, and referred to the committee on Education.

A bill to incorporate the Shelby University. Read first time.

On motion of Mr. Truit, the rule was suspended; bill read second time, and passed to a third reading.

On motion of Mr. Truit, the rule was further suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—18.

Nays: None.

Mr. Robertson moved to take up a motion made by him on a previous day, which was then laid on the table by a vote of the Senate, to spread the returns from the 14th Senatorial District on the acceptance of the proposition from the United States Government, &c., upon the journals of the Senate. Carried.

The question being on Mr. Robertson's motion to spread said returns on the journal, was taken and carried.

The following are the returns, to wit:

<i>Counties.</i>	<i>Accept.</i>	<i>Reject.</i>
Washington,	160	295
Bell,	87	25
Williamson,	103	20
Burleson,	103	7
Milam,	80	52
McLellan,	28	10
	561	409
	409	

Majority for accepting, 152

I do hereby certify that the above is a true statement of the vote on the Pearce proposition, as forwarded to me by the Chief Justices of the counties composing the 14th Senatorial District.

C. G. KEENAN, *Speaker*
of the House of Representatives.

On motion, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Senate met—quorum present.

A bill to authorize the Commissioner of the General Land Office to issue to James J. Eldridge, his heirs or assigns, a head-right certificate for one-third of a league of land. Read second time, and ordered to be engrossed.

On motion of Mr. Latimer, the rule was suspended; bill read third time and passed.

A bill for the relief of James Chesher, Sen. Read first time.

On motion of Mr. Ward, the rule was suspended; bill read second time, and passed to a third reading.

On motion of Mr. Moffett, the rule was further suspended; bill read third time and passed.

A bill for the relief of Zachariah N. Morrell. Read first time.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a joint resolution authorizing our Senators and Representatives in Congress, to receive the bonds of the Government of the United States, &c.; reported a substitute for the same, and recommended its passage.

On motion of Mr. Hart, the rule requiring reports to lie on the

table one day, was suspended, and the report taken up; substitute adopted and joint resolution ordered to be engrossed.

On motion of Mr. Grimes, the rule was suspended; resolution read third time.

Mr. Portis offered the following amendment, to come in at the end of the 1st section: "by a messenger to be by them employed." Rejected, and resolution passed.

Mr. Parker, from the committee on Private Land Claims, to which was referred a bill for the relief of John Bethea; a bill for the relief of William Cummins; and a bill for the relief of Martha McMillan; reported them back to the Senate, and recommended their passage.

Mr. Parker, from the same committee, to which was referred the petition of Mary Alexander; reported a bill for the relief of Mary Alexander. Read first time.

Mr. Van Derlip, from the committee on the Judiciary, to which was referred a bill authorizing the Governor to employ counsel in the Supreme Court of the State, in cases where the present Attorney General has been employed; reported the same back to the Senate and recommended its passage.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill for the relief of Peter Lopez and Henry Tierwester; reported the same back to the favorable consideration of the Senate.

On motion of Mr. Brashear, the rule requiring reports to lie on the table one day, was suspended, and report taken up; bill read and passed to a third reading.

On motion of Mr. Burleson, the rule was further suspended; bill read third time and passed.

Mr. Wallace, from the Judiciary committee, to which was referred a bill to prevent the sale of spirituous or vinous liquors to Indians within the State of Texas; reported the same back to the Senate, with the following amendment:

"Provided, that tax-paying Indians, resident in any county in this State, and Indians in the regular employ of any resident citizen, shall not be construed to be embraced within the provisions of this act."

On motion of Mr. Cooke, the rule requiring reports to lie on the table one day, was suspended by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Gage, Grimes, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—15.

Nays: Messrs. Campbell, Hart and Latimer—3.

And the amendment adopted.

On motion of Mr. Cooke, the rule was further suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Gage, Grimes, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—15.

Nays: Messrs. Campbell, Hart and Latimer—3.

A bill to amend an act to incorporate the city of New Braunfels. Read first time.

On motion of Mr. Van Derlip, the rule was suspended; bill read second time, and passed to a third reading.

On motion of Mr. Van Derlip, the rule was further suspended; bill read third time and passed.

A bill to incorporate the Brazos and Bernard Railway and Plankroad Company. Read first time.

On motion of Mr. Robertson, the rule was suspended; bill read second time and passed to a third reading.

On motion of Mr. Robertson, the rule was further suspended; bill read third time and passed, by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Campbell, Grimes, Kinney, Latimer, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—16.

Nays: None.

Mr. Portis, chairman of the committee on Education, to whom was referred a bill to authorize the Executive Board of Managers of the Female Institute, at Marshall, Harrison county, to confer degrees, and for other purposes; reported the same back to the Senate, and recommended its passage.

On motion of Mr. Taylor, the rule requiring reports to lie on the table one day was suspended, and report taken up.

On motion of Mr. Taylor, the rule requiring bills to be read on three several days, was suspended; bill read and passed to a third reading.

On motion of Mr. Taylor, the rule was further suspended; bill read third time and passed.

Mr. Cooke, from the committee on Private Land Claims, to which was referred the petition of Daniel Martindale; reported a bill for the relief of Daniel Martindale. Read first time.

On motion of Mr. Cooke, the rule was suspended; bill read second time, and ordered to be engrossed.

Mr. Cooke, from the same committee, to which was referred a bill for the relief of Stokely D. Choate; reported the same back to the Senate, and recommended its passage.

Mr. Robertson, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of David An-

draws; reported the same back to the Senate, and recommended its passage.

On motion of Mr. Brashear, the rule requiring reports to lie on the table one day, was suspended, and bill read and ordered to be engrossed.

On motion of Mr. Brashear, the rule was suspended; bill read third time and passed.

Mr. Taylor introduced a bill for the relief of the heirs or legal representatives of John W. R. Tildon, deceased. Read first time.

On motion of Mr. Taylor, the rule was suspended; bill read second time and referred to the committee on Private Land Claims.

Mr. Robertson introduced a joint resolution for the relief of James Pratt Plummer. Read first time.

On motion of Mr. Robertson, the rule was suspended; bill read second time and ordered to be engrossed.

On motion of Mr. Parker, the rule was further suspended; bill read third time and passed.

Mr. Wallace, from the Judiciary committee, to which was referred a bill to amend the sixth section of an act concerning slaves, approved the 5th of February, 1840; reported the same back to the Senate, with the following amendment, to come in at the end of the bill:

"Provided, that the counties of Ellis, Tarrant and Navarro, be, and they are hereby exempt from the operation of the law, so far as relates to negroes being prevented from carrying fire-arms."

On motion of Mr. Wallace, the rule requiring reports to lie on the table one day was suspended; report taken up, amendments adopted, and bill passed to a third reading.

Mr. Ward, from the committee on Enrolled Bills, made the following report:

The Joint Enrolling committee have examined the following acts, and finding them correctly enrolled, and having been signed by the Speaker of the House, and President of the Senate, were this day presented to the Governor for his examination:

An act appropriating ten thousand dollars, or so much as may be necessary for the payment of the mileage and per diem pay of the members and officers of the second extra session of the third Legislature.

An act for the relief of Reuben R. Brown; and

An act amendatory of an act to create the county of Freestone.

A bill for the relief of John S. Roberts. Read second time, and ordered to be engrossed.

On motion of Mr. Wallace, the rule was suspended ; bill read third time and passed.

A bill for the relief of John Green, Jr.; read and ordered to be engrossed.

Mr. Brashear moved to suspend the rule requiring bills to be read on three several days.

Upon which, the yeas and nays were as follows :

Yeas : Messrs. Brashear, Burleson, Cooke, Gage, Latimer, McRae, Moffett, Portis, Robertson, Taylor, Truit and Van Derlip—12.

Nays : Messrs. Grimes, Hart, Parker and Wallace—4.

The motion to suspend the rule lost, four-fifths not voting for it.

Mr. Parker introduced a bill for the relief of Stephen J. Sparks. Read first time.

Mr. Parker moved the suspension of the rule.

Upon which, the yeas and nays were as follows :

Yeas : Messrs. Burleson, Gage, Moffet, Parker, Portis, Taylor, Truit, Ward and Wallace—9.

Nays : Messrs. Brashear, Campbell, Hart, McRae, Robertson and Van Derlip—6. Lost.

Mr. Portis introduced a joint resolution upon the fugitive slave law. Read first time.

On motion of Mr. Grimes, the rule requiring reports to lie on the table one day, was suspended, and the report of the committee on Private Land Claims on a bill for the relief of William Cummins ; a bill for the relief of John Bethea ; and a bill for the relief of Martha McMillan ; was taken up, bills read second time and ordered to be engrossed.

Mr. Grimes moved to suspend the rule requiring bills to be read on three several days.

Upon which, the yeas and nays were as follows :

Yeas : Messrs. Burleson, Grimes, Latimer, Moffett, Parker, Portis, Taylor, Van Derlip, Ward and Wallace—10.

Nays : Messrs. Brashear, Campbell, Hart, Robertson and Truit—5.

Motion to suspend the rule lost ; four-fifths not voting for it.

On motion of Mr. Wallace, the vote which refused to suspend the rule requiring bills to be read on three several days, that the bill for the relief of John Green, jr., might be placed upon its third reading, was reconsidered.

Mr. Grimes moved to amend the bill, by striking out the following words : "with interest from the 28th day of September, 1844." Rejected, by the following vote :

Yeas : Messrs. Grimes, Hart, Latimer, Moffett, Parker and Taylor—6.

Nays : Messrs. Brashear, Burleson, Campbell, McRae, Portis, Robertson, Truit, Van Derlip, Ward and Wallace—10.

On motion of Mr. Wallace, the rule was suspended by the following vote :

Yeas : Messrs. Brashear, Burleson, Campbell, Grimes, Latimer, McRae, Moffett, Parker, Portis, Taylor, Truit, Van Derlip, Ward and Wallace—14.

Nays : Messrs. Hart and Robertson—2.

The bill was then read third time and passed by the following vote :

Yeas : Messrs. Brashear, Burleson, Campbell, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—13.

Nays : Messrs. Grimes, Hart and Latimer—3.

On motion, the Senate adjourned until 9 o'clock, to-morrow morning.

SATURDAY, November 30, 1850.

The Senate was called to order by the President—Senators present : Messrs. Brashear, Burleson, Cooke, Campbell, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace.

The journal of yesterday was read and adopted.

Mr. Wallace, from the Judiciary committee, to which was referred a bill to provide for the final adjustment of the public debt of the late Republic of Texas ; reported a substitute therefor.

Mr. Wallace, chairman of the committee on Enrolled Bills, made the following report :

The committee on Enrolled Bills have examined the following bills, and find them correctly enrolled :

An act to amend the first section of an act to incorporate the Galveston and Brazos Navigation Company.

An act to amend the second and seventh section of an act to organize the Supreme Court of the State of Texas, approved the 12th of May, 1846.

An act to authorize the settlers in Peters' Colony to intervene in suit or suits, in reference to any matter connected with said Colony contracts, where they have an interest; and